

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: HUXLEY FAMILY PHYSICIANS	DOCKET NO. FCU-2013-0004
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ORDER GRANTING ADDITIONAL TIME AND REQUIRING FILING

(Issued August 21, 2013)

On June 13, 2013, the undersigned administrative law judge issued an "Order Regarding Prehearing Conference and Requiring Filing." The order required the parties to file a status report on or before August 15, 2013, with available dates for a second telephone prehearing conference.

On August 15, 2013, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed a status report and request for additional time. The Consumer Advocate states discovery has begun and requests an additional sixty days for discovery and investigation prior to the establishment of a procedural schedule. The Consumer Advocate also states the Huxley Family Physicians have not experienced recurring call or fax completion difficulties of the sort reported in their complaint since June 2013. The Consumer Advocate also provided the parties' only available date for a prehearing conference. The other parties concur in the report and have no objection to the request for additional time.

The request for a 60-day period for discovery and investigation is reasonable and should be granted.

It appears that scheduling a prehearing conference within a reasonable period of time will be difficult. Given that the Consumer Advocate has requested an additional 60-day period for discovery and investigation, and given that it appears the Huxley Family Physicians are not continuing to experience call and fax completion problems that were the subject of the complaint, the undersigned will grant the request without holding a prehearing conference.

IT IS THEREFORE ORDERED:

1. The request by the Consumer Advocate for an additional 60-day period for discovery and investigation is hereby granted.

2. On or before October 15, 2013, the parties must file a status report. The report must inform the Board of the status of the parties' discovery and investigation, and must provide three mutually agreeable dates and times for a second telephone prehearing conference to discuss the procedural schedule and hearing date for this docket. The status report must also include a statement as to whether the Huxley Family Physicians have experienced call or fax completion problems since the date of this order.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Joan Conrad
Executive Secretary

Dated at Des Moines, Iowa, this 21th day of August 2013.